THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.3954 of 1998

Dated: 20.4.2007

Between:

D.Kullayappa

… Petitioner

AND

The Managing Director,
A.P.State Cooperative Bank Ltd.,
Hyderabad.

And another.

… Respondents

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.3954 of 1998

ORDER:

This writ petition is filed for the following relief:

> " for the reasons stated in the accompanying affidavit petitioner prays that the Hon'ble Court may be pleased to issue a writ of mandamus or any other appropriate writ order or direction, directing the respondents to release the petitioner's annual increment due from 1.7.1990 onwards and pay all the amounts that are due consequent upon the release of annual increments within a specified time and pass such other order…"

Learned counsel for the petitioner is called absent. Sri H.Ramkrishna Rao appeared for the respondents. From the affidavit it is evident that the petitioner was 55 years of age when the writ petition was filed. By now the petitioner would have retired in view of lapse of about 9 years from the time of filing of the writ petition. Therefore, the cause in the writ petition does not survive for consideration.

It is however made clear that the petitioner's entitlement for all the monitory benefits including the increments which were withheld during the pendency of the disciplinary proceedings is dependent upon the result of the disciplinary proceedings and

dismissal of this writ petition does not preclude the petitioner from pursuing his remedies after completion of the disciplinary proceedings.

The writ petition is therefore dismissed as infructuous.

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C.V.NAGARJUNA REDDY,J

Dt :18.4.2007
Mdaa.